

RESOLUTION NO.: 12-76

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, ENDORSING THE MIAMI-DADE LEAGUE OF CITIES' POSITION SUPPORTING THE PROHIBITION OF THE SALE AND DISTRIBUTION OF LOOSE, LEAFY OR GRANULAR INCENSE PRODUCTS, ALSO KNOWN AS "SYNTHETIC MARIJUANA", AND URGING THE STATE OF FLORIDA TO INVESTIGATE AND PROVIDE UNIFORM REGULATIONS AGAINST THE POSSESSION AND SALE OF THESE ILLEGAL SUBSTANCES THROUGHOUT THE STATE.

**WHEREAS**, the Mayor and the City Council of the City of Hialeah endorse the Miami-Dade League of Cities' ban on loose, leafy or granular incense products, also known as "synthetic marijuana"; and

**WHEREAS**, new substances are being created which are not controlled by federal or state law, but which have a potential for abuse similar to or greater than that for controlled substances; and

**WHEREAS**, these new substances, which are substantially similar to controlled substances, are classified as "controlled substance analogs", and are being used as substitutes for controlled substances; and

**WHEREAS**, the uncontrolled importation, manufacture, distribution, possession, or use of controlled substance analogs has a substantial and detrimental impact on the health and safety of the residents of Hialeah and Miami-Dade County; and

**WHEREAS**, some of these substances evade classification as controlled substance analogs because they are sold as loose, leafy or granular incense products and their packaging does not indicate that they are intended for human consumption or ingestion; and

**WHEREAS**, such products are generally known as "synthetic marijuana" and purchased by consumers for purposes of ingestion, notwithstanding any markings to the contrary; and

**WHEREAS**, such products may actually be more dangerous to humans than controlled substances due to the unapproved, uncertain and ever-changing nature of the chemical compounds contained in them; and

**WHEREAS**, such products are purchased in disproportionate amounts by minors and young adults, and pose a life-safety issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1.** The Mayor and the City Council of the City of Hialeah, Florida hereby endorse the Miami-Dade League of Cities' position supporting the prohibition of the sale and distribution of loose, leafy or granular incense products, also known as "synthetic marijuana", and hereby urge the State of Florida to investigate and provide uniform regulations against the possession and sale of these illegal substances throughout the state.

PASSED AND ADOPTED this 12th day of June, 2012.



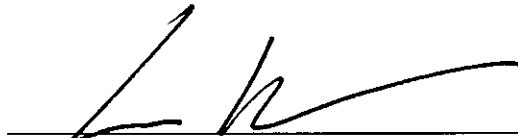
Luis Gonzalez  
Council Vice President

Attest:

Approved on the 18 day of June, 2012.



David Concepcion, City Clerk



Mayor Carlos Hernandez

Approved as to legal sufficiency and form:



William M. Grodnick, City Attorney

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Resolution was adopted by a 6-0 vote with Councilmembers, Caragol, Casals-Munoz, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes", Councilmember Garcia Martinez absent.